

**REMARKS**

Claims 1-19 have been examined. Claims 1, 11, 13 and 15 have been rejected under 35 U.S.C. § 112 second paragraph, and claims 1-19 have been rejected under 35 U.S.C. § 103(b).

**I. Preliminary Matters**

The Examiner has objected to the specification due to a minor informality. Accordingly, Applicant has amended the specification as requested. No new matter has been added.

Also, the Examiner has objected to claim 16 due to a minor informality. Accordingly, Applicant has amended claim 16 as requested. Such change is not made in view of the prior art.

**II. Rejections under 35 U.S.C. § 112, second paragraph**

The Examiner has rejected claims 1, 11, 13 and 15 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Accordingly, Applicant has amended the claims in a manner believed to overcome the rejection.

The Examiner further maintains that the claims are incomplete for omitting essential elements. In particular, the Examiner maintains that the claims need to recite that a first transmitted sequence is transmitted to a receiver and that the second final value is calculated at the receiver, etc. Applicant, however, submits that the recitation of a transmittance to a specific “receiver” is not deemed essential to the invention recited in the respective independent claims. Such amendments would unduly narrow the claim scope.

As stated in MPEP § 2173.04, breadth of a claim is not to be equated with indefiniteness. In regard to claim 1, for example, if an accused method determines a first and second final value formed from a transmitted sequence, and then generates error information when the first and second final values differ, then it falls within the scope of the limitations. Therefore, the claimed limitations clearly satisfy the requirements of § 112, second paragraph. As stated above, further, amending the claim to recite additional structure would unduly narrow the scope of the claim.

If the Examiner believes that further amendments, other than those set forth in the current Amendment, are needed, Applicant respectfully requests the Examiner to clarify which feature is the “receiver” (as discussed in the Office Action), since such term is not used in the present Application.

**III. Rejections under 35 U.S.C. § 103(a) in view of over Masao (JP 59045738) and Barton et al. (US 3,886,522)**

The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao in view of Barton.

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites forming a count from a first transmitted sequence, by changing a counting direction after each on-value and by incrementing or decrementing the count for each off-value. Then, error information is generated when a first final value of the count differs from a second final value, where the second final value is also formed from the first transmitted sequence.

The Examiner acknowledges that Masao fails to disclose the claimed count formation or comparison, but contends that Barton does. In particular, the Examiner cites to columns 5-6 and 9-11 of Barton as disclosing the claimed features. Applicant respectfully traverses the rejection.

Based on the teachings of col. 5, line 59 - col. 6, line 11 (cited by the Examiner), Applicant assumes that the Examiner maintains that the counts of the read pointer 71 and the write pointer 73 disclose the claimed first and second final values since the counts are specifically compared with each other. However, the counting directions of the read pointer 71 and the write pointer 73 are not changed. Rather, the counts are only incremented, they are not decremented (see col. 5, lines 51-55). Thus, Barton fails to teach or suggest the claimed count formation and respective first and second final values.

In addition, when the end counts of the read pointer 71 and the write pointer 73 are compared, there is no error information generated when the counts differ. Rather, if the counts are equal, the input queue memory 67 is either completely empty or completely full, and if the write pointer 73 count is greater than the read pointer 71 count, the input queue memory 67 has data therein but is not full (col. 5, line 67 - col. 6, line 15). Thus, since none of the disclosed situations constitute an "error," there is no generation of actual "error information," as recited in claim 1.

The Examiner further refers to col. 9, line 17 to col. 10, line 38 and col. 10, line 65 to col. 11, line 30 of Barton. However, such portions describe various other components of the Barton computer system, i.e., the paren recognition circuit 63 and the counter 65, none of which compare a first determined final value with a second determined final value to generate error

information when the values differ, as recited in claim 1. Accordingly, Applicant submits that Barton fails to cure the deficient teachings of Masao.

In view of the above, Applicant submits that claim 1 is patentable over the cited references and respectfully requests the Examiner to reconsider and withdraw the rejection.

**IV. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton and Roche (US 4,138,596)**

The Examiner has rejected claims 2-3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton and Roche. However, since claims 2 and 3 are dependent upon claim 1, and Roche fails to cure the deficient teachings of Masao and Barton in regard to claim 1, Applicant submits that claims 2 and 3 are patentable at least by virtue of their dependency.

**V. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton, Roche and Sainomoto et al. (US 2001/0054109 A1)**

The Examiner has rejected claims 4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton, Roche and Sainomoto. However, since claim 4 is dependent upon claim 1, and Roche and Sainomoto fail to cure the deficient teachings of Masao and Barton, in regard to claim 1, Applicant submits that claim 4 is patentable at least by virtue of its dependency.

**VI. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton and Boros (US 4,095,165)**

The Examiner has rejected claims 5-6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton and Boros. However, since claims 5 and 6 are dependent upon claim 1, and Boros fails to cure the deficient teachings of Masao and Barton, in regard to claim 1, Applicant submits that claims 5 and 6 are patentable at least by virtue of their dependency.

**VII. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton and Fairbairn (US 4,181,850)**

The Examiner has rejected claim 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton and Fairbairn. However, since claim 7 is dependent upon claim 1, and Fairbairn fails to cure the deficient teachings of Masao and Barton, in regard to claim 1, Applicant submits that claim 7 is patentable at least by virtue of its dependency.

**VIII. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton and Sato et al. (US 4,087,627)**

The Examiner has rejected claims 8-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton and Sato. However, since claims 8-10 are dependent upon

claim 1, and Sato fails to cure the deficient teachings of Masao and Barton, in regard to claim 1, Applicant submits that claims 8-10 are patentable at least by virtue of their dependency.

**IX. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton and Gomm et al. (US 5,650,761)**

The Examiner has rejected claims 11-15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton and Gomm.

**A. Claims 11, 13 and 15**

Since claims 11, 13 and 15 contain features that are analogous to the features discussed above in regard to claim 1, Applicant submits that claims 11, 13 and 15 are patentable for at least analogous reasons as claim 1.

**B. Claims 12 and 14**

Since claims 12 and 14 are dependent upon one of claims 11 and 13, Applicant submits that such claims are patentable at least by virtue of their dependency.

**X. Rejections under 35 U.S.C. § 103(a) in view of Masao, Barton, Gomm, Kuttruff et al. (US2002/0080864 A1) and Eckstein et al. (US 2001/0040507 A1)**

The Examiner has rejected claims 16-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masao, Barton, Kuttruff and Eckstein. However, since claims 16-19 are

dependent upon claim 15, and Kuttruff and Eckstein fail to cure the deficient teachings of Masao and Barton, in regard to claim 15, Applicant submits that claims 16-19 are patentable at least by virtue of their dependency.

## **XI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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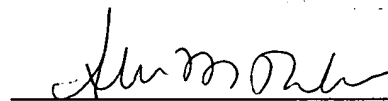
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